

Attorney Docket No. ARC 2556 N1

**OFFICIAL**

I hereby certify that this correspondence is being facsimile transmitted to the: Commissioner for Patents, at (703) 308-6916, on January 8, 2004.

Name of person signing certificate: Susan Ahearn

*Susan Ahearn*

1/8/04

**IN THE UNITED STATES PATENT AND TRADEMARK OFFICE****PATENT  
RECEIVED  
CENTRAL FAX CENTER****JAN 09 2004**

IN RE APPLICATION OF:

Liang-Chang Dong, et al.

APPLICATION NO.: 09/740,191

FILED: December 19, 2000

FOR: **DOSAGE FORM COMPRISING  
LIQUID FORMULATION**

EXAMINER: SHEIKH, HUMERAN

ART UNIT: 1615

CONF. NO:

**Petition to Revive Unintentionally Abandoned  
Application under 37 C.F.R. § 1.137(b)**

Mail Stop Petition  
Commissioner for Patents  
P.O. Box 1450  
Alexandria, VA 22313-1450

Sir:

1. The applicant hereby petitions for revival of the above-identified application, which apparently became abandoned on September 26, 2003 for failure to file a response to the Office Action mailed March 17, 2003.

2. Reply Under 37 C.F.R. § 1.137(b)(1)

Enclosed herewith is a reply to the Office Action.

3. Fee Under 37 C.F.R. § 1.137(b)(2)

Please charge deposit account no. 10-0750 for the fee of \$1330.00 under 37 C.F.R. § 1.17(m).

4. Statement Under 37 C.F.R. § 1.137(b)(3)

The entire delay in filing the required reply from the due date for the reply until the filing of a grantable petition pursuant to 37 C.F.R. § 1.137(b) was unintentional.

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5. Duration of Abandonment (1203 OG 86-87, Oct. 21, 1997)

- ☐ This petition is being filed within 3 months of the date on which the applicant was first notified of the abandonment by a Notice of Abandonment mailed . Under current USPTO practice, further information regarding the abandonment is not required.
- ☒ This petition is being filed more than 3 months after the applicant was first notified of the abandonment, but within 1 year of the date of abandonment. Attached hereto is a statement by Samuel Webb explaining how the abandonment occurred and how it was unintentional.
- ☐ This petition is being filed more than 1 year after the apparent date of abandonment. Attached hereto is a statement by explaining when the applicant or applicant's representative first became aware of the abandonment and how the delay in discovering the abandoned status occurred despite the exercise of due care or diligence on the part of the applicant or the applicant's representative.

6. Terminal Disclaimer under 37 C.F.R. § 1.137(b)(4) and (c)


- ☒ Since this application was filed on or after June 8, 1995, no terminal disclaimer is required.
- ☐ Since this application was filed before June 8, 1995, a terminal disclaimer is enclosed dedicating to the public a terminal part of the term of any patent granted hereon, and of any patent granted on a continuing application hereof, equivalent to the period of abandonment of this application.

7. Additional Fees

- ☒ Please charge any underpayment in fees for timely consideration of this Petition to Deposit Account No. 10-0750.

Respectfully submitted,

Date: January 8, 2004  
Customer No. 27777

  
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